

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

EON-NET, L.P.,

Plaintiff,

v.

BABYAGE, INC.,

Defendant.

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CIVIL ACTION NO. 04-3738 (MLC)

MEMORANDUM OPINION

THE COURT being advised that the dispute at issue herein has been settled; and thus the Court intending to (1) deny the plaintiff's pending motion, inter alia, to strike the defendant's pleadings (dkt. entry no. 15) without prejudice, and (2) dismiss the complaint (a) without costs and (b) without prejudice to reopen the action on good cause shown within 60 days if the settlement is not consummated; and the parties being advised – in order to protect their interests – they may still submit a stipulation of dismissal in this action, even though the action will be marked as closed by the Clerk of the Court; and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge